

Bedford Hills, New York
November 7, 2012

The first meeting for the month of November of the Town Board of the Town of Bedford was held on Wednesday, November 7, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York.

**DUE TO INCLEMENT WEATHER AND HAZARDOUS DRIVING CONDITIONS
THIS MEETING WAS CANCELLED AND RESCHEDULED TO NOVEMBER 20, 2012.**

Bedford Hills, New York
November 20, 2012

The regular meeting for the month of November of the Town Board of the Town of Bedford was held on November 20, 2012 at the Town Offices, 321 Bedford Road, Bedford Hills, New York. The meeting was called to order at 8:00pm by Supervisor Roberts

| | | |
|-----------------|---------------------|--------------------------------|
| Present: | Lee V. A. Roberts | : Supervisor |
| | Peter Chryssos | : Councilman |
| | Francis T. Corcoran | : Councilman* |
| | Chris Burdick | : Councilman |
| | David Gabrielson | : Councilman** |
| | Lisbeth Fumagalli | : Town Clerk |
| | Joel H. Sachs | : Town Attorney |
| | Jeffrey Osterman | : Director of Planning |
| | William Hayes | : Chief of Police |
| | Edward Ritter | : Town Comptroller |
| | Amy Pectol | : Receiver of Taxes |
| | Jeffrey Osterman | : Director of Planning |
| | Steven Fraietta | : Building Inspector |
| | Kevin Winn | : Commissioner of Public Works |

*Mr. Corcoran arrived at 8:20pm.

** Mr. Gabrielson left the meeting at 10:20pm

There were eighteen (18) residents/observers present.

PRESENTATION – Westchester EMS – Al Kim, Director

Al Kim, Director of Westchester EMS gave a presentation concerning the Advances Life Support (ALS) Fly Car Program and the costs to the Town of Bedford for this program. He reviewed with the Town Board the data and history, noting that the funding comes from eight (8) Towns. The factors that go in to determining each Towns share are: Parcel value, population, average number of calls and the square mileage. He noted that Bedford has 20% overall of the calls that the service responds to.

Update on Hurricane Sandy.

Mrs. Roberts gave an update on the recovery from Hurricane Sandy. She noted that the last Town Board meeting had been cancelled due to a snowstorm on November 7. She added that Hurricane Sandy was the first storm event where the new command center at the renovated Bedford Hills Fire House had been utilized by Town representatives from the Department of Public Works, Police and Recreation, representatives from the each of the hamlet Fire Departments and Emergency Services, the National Guard, and the utility companies. She pointed out that power had been entirely restored to the Town of Bedford residents by Friday, November 9 and that all polling sites had been up and running for the Presidential Election held on Tuesday, November 6. Mrs. Roberts commented that there had been many trees down, roads blocked and wires down resulting from Hurricane Sandy and that there would be a review of the response to the storm by various agencies.

APPROVAL OF CLAIMS

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

| | 2012 |
|-------------------------------|-------------------|
| General Fund | \$ 92,090.52 |
| Highway Fund | 77,429.34 |
| Consolidated Water District | 2,513.56 |
| Cedar Downs Water District | 392.49 |
| Farms Water District | 393.85 |
| Old Post Road Water District | 430.89 |
| Drug Abuse | 790.80 |
| Trust & Agency | 2,500.00 |
| Energy | 8,299.65 |
| Special Districts: | |
| Bedford Village Memorial Park | 1,535.87 |
| Bedford Hills Memorial Park | 1,037.28 |
| Katonah Memorial Park | 913.45 |
| Katonah Lighting District | 398.80 |
| Capital Projects | <u>135,981.07</u> |
| | \$ 324,708.07 |

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED, that the following claims for 2012 be allowed for payment from their respective funds,

| | 2012 |
|---------------------------------|-------------------|
| Paid Prior to Audit | \$ 86,154.47 |
| General Fund | 26,238.74 |
| Highway Fund | 27,428.73 |
| Consolidated Water District | 17,842.19 |
| Cedar Downs Water District | 77.96 |
| Farms Water District | 1,041.02 |
| Old Post Road Water District | 1,628.27 |
| Drug Abuse | 2,355.97 |
| Trust & Agency | 3,340.36 |
| Energy | 1,200.00 |
| Special Districts: | |
| Bedford Village Memorial Park | 186.25 |
| Bedford Hills Memorial Park | 186.25 |
| Katonah Memorial Park | 1,010.080 |
| Bedford Hills Lighting District | 881.79 |
| Capital Projects | <u>327,507.40</u> |
| | \$ 497,080.21 |

MONTHLY REPORTS – Mrs. Roberts advised that the monthly departmental reports were available for review on the Town of Bedford website, as well as in the offices of the Town Clerk and the Supervisor, during normal business hours.

DEPARTMENTS

1. Request to implement an Operating Permit as required by the NYS Fire Code and add the fee of \$100 to the Fee Schedule.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the request of Steven Fraietta, Building Inspector to implement an Operating Permit as required by the NYS Fire Code and add the fee of \$100 to the Town of Bedford Fee Schedule, as per Mr. Fraietta's memorandum dated October 24, 2012.

2. Authorize Supervisor Roberts to execute Water Filtration Plant General Contractor Change Order #10.

On a motion by Mr. Chryssos, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute Water Filtration Plant General Contractor Change Order #10 in the amount of \$43,876.78, as per the memorandum dated November 5, 2012 from Kevin Winn, Commissioner of Public Works.

3. Authorize Supervisor to execute Water Filtration Plant Electrical Change Order #4 modification.

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute Water Filtration Plant Electrical Change Order #4 modification which remains in the amount of \$63,765.42 but with a twenty-six (26) day time extension instead of the previously granted twelve (12) day time extension, as per the memorandum dated November 5, 2012 from Kevin Winn, Commissioner of Public Works.

4. Establish an agency account for tree plaque donation.

The approval for this account was granted during the work session of the Town Board held on November 14, 2012

5. Approve architectural consulting services for the Bedford Historical Courthouse roof.

On a motion by Mr. Corcoran, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the proposal for architectural consulting services from Donald Mac Donald for the Bedford Historical Courthouse, in the amount of \$4,900 for Phase I, as per Mr. Mac Donald's proposal submitted to Steven Fraietta, Building Inspector.

6. Authorize Supervisor to sign Jumpstart Agreement for installation of a Charging Station for electronic cars.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to sign the Jumpstart agreement for the installation of a charging station for electric cars to be installed at the Town of Bedford for the charging of two (2) electric cars from a grant received by the Town, with no cost to the Town for the charging station, however, the Town must pay the cost for an electrician to perform the installation and for signage for the two (2) cars.

CORRESPONDENCE

1. David Menken resignation from the Zoning Board of Appeals effective December 31, 2012.

On a motion by Mr. Chryssos, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby accept the resignation of Zoning Board Chairman David Menken from the Zoning Board of Appeals effective December 31, 2012.

2. Bradford Lane letter of appreciation to Water Department for service during power outage.

The Town Board acknowledged the receipt of a letter from Bradford Lane dated November 3, 2102 expressing his appreciation for help received from the Water Department during the power outage caused by Hurricane Sandy.

3. 2011 Annual Report available on Towns website or at Police Headquarters or Town House.

The Town Board acknowledged the receipt of the 2011 Annual Report of the Town of Bedford Police Department from Chief of Police William Hayes. Mrs. Roberts advised that this document was posted on the Town of Bedford website and available to residents at both the Town House and Police Headquarters.

OLD BUSINESS

1. Stepping Stones – SEQRA determination.

Mr. Osterman reviewed the memorandum dated September 11, 2012 from the Town of Bedford Planning Board and discussed the recommendations with them.

Several neighbors of the Stepping Stones site expressed concerns with the number of cars that go in and out of the site each day, as well as buses that bring visitors to the site, which impact the surrounding neighbors.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby table the discussion on the SEQRA for the Stepping Stones site located on Oak Road in Katonah, in the Town of Bedford.

2. Approve Phase II Environmental Assessment proposal at Peckham Materials Site.

On a motion by Mr. Gabrielson, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby approve the Phase II Environmental Assessment Proposal as submitted by Environmental Planning and Management, for the Peckham Materials site, at a cost not to exceed \$18,805.00.

NEW BUSINESS

1. Confirm decision on picking up storm debris.

On a motion by Mr. Burdick, seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town of Bedford Department of Public Works, Highway Division, shall pick up storm debris placed at the roadside up to two (2) cubic yards per residence, commencing November 19, 2012.

2. Authorize Supervisor to execute an agreement releasing Cablevision from claims from an audit contesting payment franchise fees.

On a motion by Mr. Burdick seconded by Mr. Gabrielson, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: None

RESOLVED that the Town Board does hereby authorize the Supervisor to execute the agreement releasing Cablevision from claims from an audit contesting payment franchise fees, relative only to the previous agreement with Cablevision.

Mr. Gabrielson left the meeting at 10:20pm.

3. Retirement Notification: Police Officer Patrick J. Lenahan

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby accept the retirement of Police Officer Patrick Lenahan from the Town of Bedford Police Department after twenty-four (24) years of service to the residents of the Town of Bedford, effective December 29, 2012 as per the memorandum dated November 14, 2012 from Joan Gallagher, Director of Personnel.

4. Approve promotion of Sergeant Melvin Padilla to Lieutenant effective January 1, 2013.

On a motion by Mr. Corcoran, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby approve the promotion of Sergeant Melvin Padilla to the rank of Lieutenant in the Town of Bedford Police Department, effective January 1, 2013, to fill the vacancy created by the retirement of Lieutenant Robert Mazurak, at an annual salary of \$122,414.00 and from Civil Service Eligible List #78-553, as per the recommendation of Chief of Police William Hayes, dated November 15, 2012 and the memorandum dated November 15, 2012 from Joan Gallagher, Director of Personnel.

5. Katonah Chamber of Commerce – Katonah Avenue closure for two events: 11/24 Santa Comes to Town and 12/2 Tree and Menorah Lighting.

On a motion by Mr. Burdick, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby grant approval for the Katonah Chamber of Commerce to hold the following two events:

1. Santa Comes to Town – Saturday, November 24th – behind Chase Bank on Katonah Avenue, with assistance from the Katonah Fire Department.
 2. The Lighting of the Tree and Menorah – Sunday, December 2nd – Katonah Avenue, next to St. Luke’s Church, with the closure of Katonah Avenue required. Services of Police and the Department of Public Works are needed, which shall be at the expense of the Chamber of Commerce and a Certificate of Insurance naming the Town of Bedford as an additional insured has been filed in the Office of the Town Clerk.
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6. Approval to hold Memorial Tree Dedication for Kevin Quaranta on December 16th – 1:30pm at the Town House.

On a motion by Mrs. Roberts, seconded by Mr. Burdick, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby grant approval to hold a Memorial Tree Dedication for Town Justice Kevin Quaranta on Sunday, December 16, 2012 at 1:30 pm at the Town of Bedford Town House, 321 Bedford Road, Bedford Hills.

7. Set Public Hearing on 2% tax levy override.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby set a public hearing to consider an override of the 2% property tax cap for December 4, 2012 at 7:00pm to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

8. Set Public Hearing on 2013 Budget.

On a motion by Mrs. Roberts, seconded by Mr. Chryssos, the following resolution was ADOPTED

Ayes: Roberts, Chryssos, Corcoran, Gabrielson, Burdick
Nays: None
Absent: Gabrielson

RESOLVED that the Town Board does hereby set a public hearing to consider the 2013 Town of Bedford Budget for December 4, 2012 at 7:05pm to be held at the Town House, 321 Bedford Road, Bedford Hills, New York.

There being no further discussion the meeting was adjourned at 10:36pm.

Lisbeth Fumagalli, Town Clerk